

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS AND LABOR**

**Call to Order:** Chairman Bill Wilson, on March 27, 2009 at 8:30  
A.M., in Room 172 Capitol

#### **ROLL CALL**

**Members Present:**

Rep. Bill Wilson, Chairman (D)  
Rep. Bill Beck, Vice Chairman (R)  
Rep. Michele Reinhart, Vice Chairwoman (D)  
Rep. Elsie Arntzen (R)  
Rep. Shannon Augare (D)  
Rep. Paul Beck (D)  
Rep. Tom Berry (R)  
Rep. Carlie Boland (D)  
Rep. John Fleming (D)  
Rep. Timothy Furey (D)  
Rep. Chuck Hunter (D)  
Rep. Harry Klock (R)  
Rep. Mike Milburn (R)  
Rep. Pat Noonan (D)  
Rep. Scott Reichner (R)  
Rep. Cary Smith (R)  
Rep. Gordon Vance (R)  
Rep. Jeffery Welborn (R)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Santella Baglivo, Committee Secretary  
Bart Campbell, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 656, 3/11/2009; HB 662,  
3/11/2009; SB 335, 3/11/2009;  
SB 462, 3/11/2009

Executive Action: SB 462, SB 398

**HEARING ON HB 662**

**Opening Statement by Sponsor:**

00:01:08 Rep. Elsie Arntzen (R), HD 53, opened the hearing on  
HB 662, License massage therapists.

**EXHIBIT (buh68a01)**

**Proponents' Testimony:**

00:10:03 Rachel Romanelli, Massage Therapy Government Relations  
Committee

**EXHIBIT (buh68a02)**

00:15:02 Mike Lairs, Massage Therapist

00:17:06 Ruth Marion, Health Works Institute

00:20:39 Steven Biggs, Chiropractor

00:23:37 Robbie Gammack, Self

00:24:40 Gary Lusin, Physical Therapy Association

**EXHIBIT (buh68a03)**

00:25:32 Lorena Pettet, Physical Therapy Association

00:26:05 Kerrick Murray, Self, Helena, Montana

00:28:07 Robert Allen, Executive Director, Montana Nurses  
Association

**EXHIBIT (buh68a04)**

00:29:44 Sue Benjamin, Massage Therapy Government Relations  
Committee

00:30:12 Kyle Forman, Massage Therapist

00:31:45 Arin St. Cyr, Massage Therapist

00:32:05 Nicole Kay, Massage Therapist

00:32:16 Mark Staples, Montana Chiropractic Association

00:32:58 Nicole Methot, Massage Therapist

00:33:38 Aimee Grmoljez, Billings Clinic

**Opponents' Testimony:**

00:34:17 Patricia Murphy, Business League of Massage Therapy

**EXHIBIT (buh68a05)**

00:40:46 Henry Cloud, Massage Therapist

00:45:02 Jennifer Daily, Massage Therapist

**EXHIBIT(buh68a06)**

00:47:25 Teresa Thormahlen, Massage Therapist

00:49:15 Debra Shorrock, Massage Therapist

00:51:38 Susan Carlson, Massage Therapist

00:54:53 Sally Beale, Massage Therapist

**EXHIBIT(buh68a07)**

00:57:07 Rose Stoudt, Massage Therapist

00:58:51 Erik Anderson, Massage Therapist

01:00:33 Patty Johnson, Massage Therapist

01:00:50 Codi Carpenter, Massage Therapist

01:01:04 Suzie Benjamin, Massage Therapist

**Informational Testimony:**

01:01:20 Deborah Kimmet, Montana Health Freedom Coalition

01:03:02 Marilyn Kelly-Clark, Chief, Health Care Licensing  
Bureau, Department of Labor and Industry (DLI)

**Questions from Committee Members and Responses:**

01:03:30 Chairman Wilson

01:05:35 Ms. Romanelli

01:05:53 Chairman Wilson

01:05:54 Rep. Arntzen

01:07:18 Chairman Wilson

01:07:36 Rep. Reinhart

01:07:54 Rep. Arntzen

01:08:19 Rep. Reinhart

01:08:58 Rep. Arntzen

01:09:39 Rep. Reinhart

01:09:49 Rep. Arntzen

01:10:00 Rep. Reinhart

01:10:18 Ms. Murphy

01:11:21 Rep. Reinhart

01:11:53 Chairman Wilson

01:12:02 Ms. Murphy

01:12:08 Rep. Reinhart

01:12:57 Ms. Murphy

01:12:59 Rep. Reinhart

01:13:34 Ms. Kelly-Clark

01:13:49 Rep. Reinhart

01:14:03 Ms. Kelly-Clark

01:16:51 Rep. Reinhart

01:17:00 Ms. Kelly-Clark

01:17:41 Rep. Reinhart

01:18:08 Ms. Kelly-Clark

01:19:34 Rep. Reinhart

01:19:36 Chairman Wilson

01:19:41 Rep. B. Beck  
01:20:21 Rep. Arntzen  
01:20:29 Rep. Smith  
01:20:55 Rep. Arntzen  
01:21:43 Rep. Boland  
01:22:03 Ms. Stoudt  
01:22:17 Rep. Boland  
01:22:21 Ms. Stoudt  
01:23:31 Rep. Boland  
01:23:39 Ms. Stoudt  
01:24:48 Rep. Furey  
01:25:33 Ms. Thormahlen  
01:25:58 Rep. Furey  
01:26:40 Ms. Thormahlen  
01:28:05 Rep. Furey  
01:28:35 Mr. Cloud  
01:29:33 Chairman Wilson  
01:30:18 Mr. Cloud

**Closing by Sponsor:**

01:31:01 Rep. Arntzen  
  
01:32:43 Chairman Wilson called a recess.  
01:34:43 Chairman Wilson resumed hearing.  
  
01:35:24 Chairman Wilson turned the gavel over to Vice Chairman Beck.

**HEARING ON SB 462**

**Opening Statement by Sponsor:**

01:36:24 Sen. Donald Steinbeisser (R), SD 19, opened the hearing on SB 462, Create lien on oil and gas proceeds for owners of interest.

**Proponents' Testimony:**

01:38:41 Ed Bartlett, Attorney, Billings, Montana  
01:44:32 Dave Galt, Executive Director, Montana Petroleum Association

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

01:46:09 Sen. Steinbeisser

**HEARING ON HB 656**

**Opening Statement by Sponsor:**

01:47:51 Rep. Wayne Stahl (R), HD 35, opened the hearing on HB 656, Revise liquor store commissions -- special sales to liquor stores.

**Proponents' Testimony:**

01:51:35 Mark Staples, Montana Tavern Association

**Opponents' Testimony:** None

**Informational Testimony:**

01:54:42 Shawna Helfert, Administrator, Liquor Control Division, Department of Revenue

**Questions from Committee Members and Responses:**

01:57:08 Rep. Furey

01:57:22 Rep. Stahl

01:57:57 Rep. Furey

01:58:30 Rep. Stahl

**Closing by Sponsor:**

01:58:54 Rep. Stahl

01:59:39 Rep. Wilson

01:59:50 Mr. Campbell, Legislative Services Division

02:00:00 Rep. Stahl

02:00:35 Rep. Wilson

02:00:47 Vice Chairman Beck called a recess.

02:23:38 Chairman Wilson resumed hearing.

**HEARING ON SB 335**

**Opening Statement by Sponsor:**

02:23:49 Sen. Joe Balyeat (R), SD 34, opened the hearing on SB 335, Prohibit professional board discrimination.

**Proponents' Testimony:** None

**Opponents' Testimony:**

02:26:46 Don Judge, Montana Nurses Association  
02:29:37 Pat Melby, Montana Medical Association  
02:33:32 Robert Johnson, Montana AFL-CIO  
02:34:01 JD Lynch, Montana State Building Trades  
02:35:24 Mary McCue, Montana Dental Association  
02:37:34 Candace Payne, Rimrock Foundation  
02:38:44 Olaf Stimac, Montana Board of Plumbers

**Informational Testimony:**

02:39:19 Gene Allison, Deputy Chief Counsel, DLI

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

02:40:04 Sen. Balyeat

**EXECUTIVE ACTION ON SB 462**

02:46:52 **Motion:** Rep. Reinhart moved that **SB 462 BE CONCURRED IN.**

02:47:09 Rep. Klock called the question.

02:47:13 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 398**

02:47:52 **Motion:** Rep. Reinhart moved that **SB 398 BE CONCURRED IN.**

**Discussion:**

02:48:12 Chairman Wilson  
02:48:30 Rep. B. Beck  
02:48:40 Chairman Wilson

02:49:27 **Vote:** Motion carried 13-5 by roll call vote with Rep. Augare, Rep. Boland, Rep. Furey, Rep. Reinhart, and Rep. Wilson voting no.

**ADJOURNMENT**

2:52:13 Adjournment: 11:22 A.M.

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Santella Baglivo, Secretary

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**Additional Exhibits**

**EXHIBIT** (buh68a08) Letter from Board of Physical Therapy re: SB 335

**EXHIBIT** (buh68a09) Letter from Dan Sullivan re: SB 142

**EXHIBIT** (buh68a10) Letter from Russell Fagg re: SB 235

Additional Documents:

**EXHIBIT** ([buh68aad.pdf](#))